



**REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034**

4:00 PM

TUESDAY, DECEMBER 18, 2012

MINUTES

For complete details on each item, please view a video of the meeting on the [City of Frisco](#) web site.

Mayor	Maher Maso	Present
Deputy Mayor Pro Tem	Scott Johnson	Present
Council Member	John Keating	Present
Council Member	Tim Nelson	Present
Council Member	Bob Allen	Present
Mayor Pro Team	Jeff Cheney	Present
Council Member	Will Sowell	Present

CALL TO ORDER

Mayor Maso called the meeting to order at 4:01 p.m. with a quorum present.

1. Roll Call

Representing Staff: City Manager, George Purefoy; Deputy City Manager, Henry Hill; Assistant City Manager, Nell Lange; Assistant City Manager, Ron Patterson; Assistant City Secretary, Wendy Withers; City Attorney, Richard Abernathy; Assistants to the City Manager, John Eaglen, Ben Brezina, and Kathleen Stewart; Assistant Fire Chief, Paul Seibert; Interim Police Chief, John Bruce; Development Services Director, John Lettelleir; Engineering Director, Paul Knippel; FEDC President, Jim Gandy; Administrative Services Director,

Tom Johnston; Finance Director, Anita Cothran; Library Services Director Shelley Holley; CVB Sales Manager, La Chelle Evans; Public Works Director, Gary Hartwell; Assistant Fire Chief Lee Glover; Communications Director Dana Baird; and Parks CIP and Planning Manager Dudley Raymond.

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:
 - A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
 - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i. Bordered by Eldorado Parkway on the north, FM 423 on the west, Preston Road on the east and SH121 on the south.
 - C. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.

Jeff Cheney moved to recess into closed session at 4:02 p.m. Will Sowell seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Tim Nelson moved to reconvene into Regular Session at 5:25 p.m. and take any action necessary as a result of the Closed Session. Will Sowell seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Mayor Maso announced there was no action to take as a result of closed

session.

INVOCATION

Mayor Maso asked all present observe a moment of silence for the victims of Friday's school shooting in Newtown, Connecticut.

Deputy Mayor Pro Tem Scott Johnson led the invocation.

PLEDGE OF ALLEGIANCE

Girl Scout Troup 4715 led the pledge of allegiance to the State of Texas flag and the United States Flag. Girl Scout Troup 4715 consists of 4th grade girls from Bledsoe, Fisher, Carroll and Pink Elementary Schools.

PROCLAMATIONS

There were no Proclamations.

Mayor Maso continued with Citizen's Input at 5:30.

REPORTS

4. Public Works Report on Water Usage and Other Monthly Activities.

Public Works Director Gary Hartwell gave a presentation on monthly water usage.

5. Development Services Activities Monthly Update November 2012.

Development Services Director John Lettelleir gave a report on monthly activities for the month of November.

6. Fire Department Monthly Report on Incident Response and Educational Activities, November 2012.

Assistant Fire Chief Paul Siebert gave a monthly report on incident response and educational activities for November 2012.

7. Engineering Services Monthly Report on Roads, Traffic, Water & Sewer Projects.

Director of Engineering Paul Knippel gave a presentation on roads, traffic water and sewer projects for the month of November.

8. Parks and Recreation Monthly Report regarding Park and Trail Development,

Facilities, Special Events and Youth Development.

Parks CIP and Planning Manager Dudley Raymond gave a report on park and trail development, facilities, special events and youth development for the month of November.

9. Financial Services Monthly Budget Status Report - November 2012.

Director of Finance Anita Cothran gave a report on the budget status for the month of November 2012. Ms. Cothran also reported that the city was now accepting VISA cards once again as a result of a bylaws change made by VISA.

10. Police Department's crime statistics and response times for the month of November 2012.

Interim Police Chief John Bruce reported on the crime statistics and response times for the month of November 2012.

11. Frisco CVB November report on industry data, bookings, and PR value.

Sr. Sales Manager La Chelle Evans reported on industry data, books and PR value for November 2012.

12. Library report on usage and programming activities.

Director of Library Services Shelley Holley reported library usage and programming activities for October 2012. Ms. Holley noted change in the format of the report.

13. Council Subcommittee reports for current activities of the Legislative, Governance, Frisco Square Management District and the Budget and Audit Committee.

Legislative Committee – No report.

Governance Committee – No report.

Budget and Audit Committee – No report.

FSMD – Mayor Maso reported that FSMD did have a meeting that was very short with nothing substantial to share.

Mayor Maso continued with the Consent Agenda.

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

Tony Felker, 6843 Main Street, Frisco Chamber of Commerce, wanted to let the Council know that the Chamber has been working on a strategic plan. Mr. Felker stated he would be coming before the council on a more regular basis.

The plan focuses on three main areas, Connections, Resources and Advocacy. Mr. Felker continued to report on the changes to the Chamber of Commerce Board of Directors and thanked the Council for their participation in the recent Local Option Election. Mr. Felker also reported that the Chamber had completed their annual audit with no material weaknesses noted.

Jeff Cosby, 9519 Enmore Lane, Frisco, TX, wanted to further discuss the Ohio Drive Roundabouts. Mr. Cosby expressed concern that drivers who were not from the area might not be familiar with how they operate and this could cause a dangerous situation and referred to a situation in the city of Henderson where the city opted to not use roundabouts, and stated a concern about the commercial traffic.

Mayor Maso continued with Reports.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Tim Nelson moved to pull Item 29 from the agenda. Jeff Cheney seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Jeff Cheney moved to approve Items 14-28 and 30- 42. Tim Nelson seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Tim Nelson asked what the average life span of an ambulance was. Assistant Fire Chief Lee Glover replied that the average life span was 100,000 miles before being placed into reserve, and then an additional 50,000 miles, or 5 – 7 years, before being auctioned off.

Tim Nelson moved to approve Item 29. John Keating seconded the motion.

Passed

Vote: 6 - 0

**For: Scott Johnson, John Keating, Tim Nelson, Bob Allen,
Jeff Cheney, Will Sowell;**
Against: (None)

14. Consider and act upon approval of the November 19, 2012 Canvass Meeting minutes and the November 26, 2012 Regular City Council Meeting minutes. (CSO/JP)
15. Consider and act upon approving a Resolution authorizing the City Manager to enter into an Interlocal Agreement with Collin County Parks and Open Space Funding Assistance Program for Taychas Trail, Phase 2. (Parks/JED)
Resolution 12-12-203R
16. Consider and act upon approving a Resolution authorizing the City Manager to execute an agreement by and between the City of Frisco and Studio 13 Design Group, PLLC. for professional design services for (4) four independent railroad/trail interfaces. (Parks/JED) **Resolution 12-12-204R**
17. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and HNTB Corporation, for Construction Contract Administration Services related to Stonebrook Parkway Phase II (Fighting Eagles Lane to Longhorn Trail) (Engineering/dlc) **Resolution 12-12-205R**
18. Consider and act upon a Resolution authorizing the City Manager to execute a Master Agreement with Kimley-Horn and Associates, Inc. for On Call Professional Civil Engineering Services, Miscellaneous Drainage Services, Contract Number 2012-001 (Engineering/AS). **Resolution 12-12-206R**
19. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Advance Funding Agreement by and between the Texas Department of Transportation and the City of Frisco to provide engineering design services for the construction of FM 423 from US 380 to 0.8 mile south of FM 2934. (Engineering/JB) **Resolution 12-12-207R**
20. Consider and act upon award of bid to Jim Bowman Construction Company, L.P., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for the Cotton Gin Road at Dallas Parkway Improvements (Bid No. 1311-015) (Engineering/SL). **Resolution 12-12-208R**
21. Consider and act upon award of bid to Groves Electrical Service, Inc., and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Preston Road Street Lighting Improvements between Main Street and US 380 (Bid No. 1311-012) (Engineering/SL). **Resolution 12-12-209R**

22. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Interlocal Cooperation Agreement between the City of The Colony, and the City of Frisco concerning the maintenance of the BNSF Memorial Drive Railroad Underpass. (Engineering/JB) **Resolution 12-12-210R**
23. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Underpass Agreement by and between the BNSF Railway Company (BNSF), the City of The Colony, and the City of Frisco for the construction of the BNSF Memorial Drive Railroad Underpass contingent upon approval of the Interlocal Cooperation Agreement with The Colony. (Engineering/JB) **Resolution 12-12-211R**
24. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Agreement for Exchange of Real Estate Property, Conveyance of Easements and Related Matters by and between the City of Frisco and Legacy Warren Partners, L.P. for the Legacy Elevated Storage Tank (Engineering/AH) **Resolution 12-12-212R**
25. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Garver, LLC for design and preparation of construction documents for Stewart Creek North Interceptor (Engineering/AH) **Resolution 12-12-213R**
26. Consider and act upon approval of the purchase of emergency vehicle preemption equipment, from Consolidated Traffic Controls. (Engineering/TJ)
27. Consider and act upon approval of a purchase order to Paradigm Traffic Systems, Inc. for purchase of three (3) traffic signal video detection systems. (Engineering/TJ)
28. Consider and act upon approval of a purchase order to Naztec, Inc. for the purchase of four (4) Naztec traffic signal cabinets. (Engineering/TJ)
29. Consider and act upon approval of purchase orders to Lone Star Emergency Vehicles for the purchase of three (3) Braun Super Chief, Type I Medium Duty International Durastar Ambulances. (Fire/TJ)
30. Consider and act upon authorization for the City Manager to execute Interlocal Cooperation Agreements by and between the City of Frisco and Denton County for the provision of Fire Protection Services and for the provision of Ambulance Services. (FIRE/JE)
31. Consider and act upon approval of a purchase order to Metro Fire is to purchase two (2) Bullard T4 Thermal Imagers and accessories. (Fire/TJ)

32. Consider and act upon approval of purchase orders to Motorola for the purchase of mobile radio systems and accessories for seven (7) new Fire apparatus. (Fire/TJ)
33. Consider and act upon approval of purchase orders to Caldwell Country Chevrolet for the purchase of four (4) Tahoe Police pursuit vehicles and one (1) Silverado 3500 HD pickup. (Fire,TJ)
34. Consider and act upon award of RFP 1208-075, Frisco Fire Safety Town Interactive Safety Videos Project to Rusty Spur Productions and approval authorizing the City Manager to execute an agreement for these services. (Fire/TJ)
35. Consider and act upon award of bid 1311-017, Breathing Air Compressor Station for Frisco Fire Station No. 4 to August Industries, Inc. (Fire/TJ)
36. Consider and act upon award of 311-018, All Terrain Patient Transport Vehicle to Carolina Custom Products, Inc. (Fire/TJ)
37. Consider and act upon award of reverse auction RFP #1311-013, Stop Loss Insurance, to Everest Reinsurance Company, and approval authorizing the City Manager to execute a renewal agreement for these services. (HR/TJ)
38. Consider and act upon approval of a change order to ThyssenKrupp Elevator for the maintenance of City elevators. (Building Services/TJ)
39. Consider and act upon a Chapter 380 agreement with the Hall Financial Group LTD to provide incentives for construction of an office building. (CMO)
40. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and PCR Land Company, L.L.C, RPG/PCR Development Company, L.L.C, and Standard Pacific of Texas, Inc. for Phillips Creek Ranch Phase 1, Phase 2, and Sheridan. (CMO/BB) **Resolution 12-12-214R**
41. Consider and act upon a Development Agreement by and between the City of Frisco and Walgreen's Specialty Pharmacy, LLC. (CMO/RP)
42. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Development Services, pursuant to Subsection 6.19 of the Zoning Ordinance and/or Section 4.02 of the Subdivision Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Development Services. (Development Services)

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Jeff Cheney moved to approve the Legislative Agenda. Tim Nelson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

43. Consider and act upon adoption of an Ordinance to amend Planned Development-135 regarding driveway restrictions and development standards. The property contains 12.3± acres located on the north side of Main Street, 150± feet east of Commonwealth Drive. Zoned Planned Development-135-/Office-1. Neighborhood #44. Zoning Case No. Z12-0020. (Development Services/MW) **Ordinance 12-12-76**
44. Consider and act upon an Amendment to Ordinance 12-01-03 establishing the maximum speed limit on FM 2478 (Custer Road) within the City limit of Frisco, which is contingent upon the acceptance by the Texas Transportation Commission (Engineering/SL). **Ordinance 12-12-77**
45. Consider and act upon adoption of an Ordinance to rezone 4.2± acres on the west side of Legacy Drive, 1,200± feet south of Main Street from Industrial to Office-1. Zoned Industrial. Neighborhood #41. Zoning Case No. Z12-0021. (Development Services/JE) **Ordinance 12-12-78**
46. Consider and act upon adoption of an Ordinance for a Specific Use Permit for a Licensed Child Care Center on one lot on 2.3± acres on the west side of Legacy Drive, 1,200± feet south of Main Street from Industrial to Office-1. Zoned Industrial. Neighborhood #41. Zoning Case No. SUP12-0019. (Development Services/JE) **Ordinance 12-12-79**

REGULAR AGENDA

Mayor Maso announced that due to advertising restraints, the Public Hearings could not begin until 6:30 p.m. In the interest of time, the council would begin the Regular Agenda with item 50 and skip around to continue the meeting.

47. Public Hearing: Zoning Case Z12-0022. A request to rezone and reclassify 34.0± acres from Commercial-1, Multifamily-15, and Planned Development-9-Multifamily-19/Commercial-1/Patio Home to Single Family-7 on the northeast corner of Wyndbrook Drive and Towne Bridge Drive and the areas east of Kings

Ridge Road, north of Huntington Road and consider and act to direct staff to prepare an Ordinance of the same. Zoned Commercial-1, Multifamily-15, and Planned Development-9-Multifamily-19/Commercial-1/Patio Home. Neighborhood #19. (Development Services/RC)

Scott Johnson left the dais momentarily.

Jeff Cheney moved to open the public hearing. Will Sowell seconded the motion.

Passed

Vote: 5 – 0

For: John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Jeff Cheney moved to close the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Bob Allen moved to approve the request to rezone and reclassify 34.0± acres from Commercial-1, Multifamily-15, and Planned Development-9-Multifamily-19/Commercial-1/Patio Home to Single Family-7 on the northeast corner of Wyndbrook Drive and Towne Bridge Drive and the areas east of Kings Ridge Road, north of Huntington Road directing staff to prepare an Ordinance of the same. John Keating seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

48. Public Hearing: Zoning Case Z12-0025. A request to rezone 1.2± acres on the southwest corner of Wade Boulevard and Esther Way from Industrial to Commercial-2 and consider and act to direct staff to prepare an Ordinance of the same. Zoned Industrial. Neighborhood #23. (Development Services/MW)

Bob Allen moved to open the public hearing on items 48 and 49. Will Sowell seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Bob Allen moved to close the public hearing on items 48 and 49. Scott Johnson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Bob Allen moved to approve Public Hearing: Zoning Case Z12-0025. A request to rezone 1.2± acres on the southwest corner of Wade Boulevard and Esther Way from Industrial to Commercial-2 directing staff to prepare an Ordinance of the same. Scott Johnson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

49. Public Hearing: Specific Use Permit Case SUP12-0021. A request to amend a Specific Use Permit for a Licensed Child Care Center on one lot on 1.2± acres on the southwest corner of Wade Boulevard and Esther Way and consider and act to direct staff to prepare an Ordinance of the same. Zoned Industrial. Proposed Zoning Commercial-2 (Companion Agenda Item Z12-0025). Neighborhood #23. (Development Services/MW)

Bob Allen move to approve Public Hearing: Specific Use Permit Case SUP12-0021. A request to amend a Specific Use Permit for a Licensed Child Care Center on one lot on 1.2± acres on the southwest corner of Wade Boulevard and Esther Way directing staff to prepare an Ordinance of the same. Scott Johnson seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Mayor Maso continued with Item 51.

50. Consider and act upon adoption of an Ordinance to amend Planned Development-31, rezoning a 3.1± acre tract from PD-31-Office-1 to PD-31-Highway. The property contains 131.9± acres on the north side of State Highway 121 between Legacy Drive and Dallas Parkway. Zoned Planned Development-31-Retail/Office-1/Highway. Neighborhood #34. Zoning Case No. Z12-0015. (Development Services/MW) **Ordinance 12-12-80**

Bob Allen moved to approve adoption of an Ordinance to amend Planned Development-31, rezoning a 3.1± acre tract from PD-31-Office-1 to PD-31-Highway. Will Sowell seconded the motion.

Passed

Vote: 6 – 0

**For: Scott Johnson, John Keating, Tim Nelson, Bob Allen,
Jeff Cheney, Will Sowell;**

Against: (None)

Mayor Maso moved to Item 57.

51. Public Hearing: Specific Use Permit Case SUP12-0020. A request for a Specific Use Permit for a Licensed Child Care Center and a Private School on one lot on 9.8± acres on the north side of Stonebrook Parkway, 855± west of Dallas Parkway directing staff to prepare an Ordinance of the same. Zoned Planned Development-103-Single Family. Neighborhood #22. (Development Services/RC)

Jeff Cheney moved to open the public hearing. Bob Allen seconded the motion.

Passed

Vote: 6 – 0

**For: Scott Johnson, John Keating, Tim Nelson, Bob Allen,
Jeff Cheney, Will Sowell;**

Against: (None)

Bob Allen moved to close the public hearing. Tim Nelson seconded the motion.

Passed

Vote: 6 – 0

**For: Scott Johnson, John Keating, Tim Nelson, Bob Allen,
Jeff Cheney, Will Sowell;**

Against: (None)

Scott Johnson moved to approve Public Hearing: Specific Use Permit Case SUP12-0020. A request for a Specific Use Permit for a Licensed Child Care Center and a Private School on one lot on 9.8± acres on the north side of Stonebrook Parkway, 855± west of Dallas Parkway directing staff to prepare an Ordinance of the same. John Keating seconded the motion.

Passed

Vote: 6 – 0

**For: Scott Johnson, John Keating, Tim Nelson, Bob Allen,
Jeff Cheney, Will Sowell;**

Against: (None)

52. Public Hearing: Zoning Case Z12-0023. A request to rezone 17.1± acres from Planned Development-40-Office-2/Commercial-1/Commercial-2/Retail/Industrial to Planned Development-Single Family-7 on the southwest corner of Diamond Point Lane and Legacy Drive and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-40-Office-2/Commercial-1/Commercial-2/Retail/Industrial. Neighborhood #41. (Development Services/SM)

Jeff Cheney moved to open the public hearing. Tim Nelson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Derrick Anderson, 7254 Kentwood Drive, Frisco, TX, spoke in opposition to the request. Mr. Anderson presented a petition with signatures of local residents in the zoning area who opposed the request. (Exhibit A)

Tim Spiars, Spiars Engineering, 765 Custer Road Suite 100, Plano, TX, spoke in favor of the request. Mr. Spiars stated that they have presented the best and highest use for the property as a residential property. Mr. Spiars noted that the biggest change from the original proposal was the reduction of the number of lots.

Jimmy Brownlee, DFW Regional President, K Hovnanian Homes, 5808 W. Plano Parkway, Plano, TX, spoke in favor of the item. Mr. Brownlee's organization is currently building in Diamond Point and plans to continue building for the next 3 to 4 years. Mr. Brownlee commented that they have been building in the City of Frisco for 22 years and anticipated the average home price at over \$ 400,000.

Peter Shaddock, 2400 Dallas Parkway, Suite 510, Plano, TX, spoke in favor of the item.

Jessie Mann, 5701 Seville Ct. Plano, TX, and owner of the property, spoke in favor of the request. Mr. Mann stated that they have owned the property for over 6 years and feels that this is the best use for the property.

Bob Allen moved to close the public hearing. John Keating seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Jeff Cheney moved to approve Public Hearing: Zoning Case Z12-0023. A request to rezone 17.1± acres from Planned Development-40-Office-2/Commercial-1/Commercial-2/Retail/Industrial to Planned Development-Single Family-7 on the southwest corner of Diamond Point Lane and Legacy Drive directing staff to prepare an Ordinance of the same, subject to reconfiguration of the open space, moving the detention space of the adjoining lot, or make it three open space lots. Scott Johnson seconded the motion.

Passed

Vote: 5 – 1

For: Scott Johnson, John Keating, Tim Nelson, Jeff Cheney, Will Sowell;

Against: Bob Allen

Mayor Maso stated that he and John Keating had another meeting to attend tonight and wanted to address Item 59 before leaving.

53. Public Hearing: Zoning Case Z12-0019. A request to rezone 152.2± acres north of Diamond Point Lane and west of Legacy Drive from Planned Development-40-Retail/Office-2/Commercial-1/Commercial-2/Industrial and Planned Development-199-Office-2 to Planned Development-Single Family-8.5/Single Family-7/Patio Home/Townhome/Multifamily/Retail and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-40-Retail/Office-2/Commercial-1/Commercial-2/Industrial and Planned Development-199-Single Family-7/Patio Home/Townhome/Retail/Office-1/Office-2. Neighborhood #41. (Development Services/MW)

Will Sowell moved to open the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Mayor Maso left the meeting at 7:36 p.m. to attend another meeting and Mayor Pro Tem Cheney presided over the remainder of the meeting.

Bill Gietema, Jr., 3500 Maple Avenue #1165, Dallas, TX, spoke on behalf of Arcadia Realty. Mr. Gietema gave a presentation relative to the future development plans of the property.

Tony Felker, 5517 Vicksburg Drive, Frisco, TX, stated that he was coming before the city on a personal basis. Mr. Felker spoke in opposition to the

request and asked the council to consider the effects that this development would have on the development of Grand Park.

Clint Richardson, 5812 Marrietta Drive, Frisco, TX, spoke in favor of the request.

Scott Johnson moved to close the public hearing. John Keating seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Tim Nelson, Bob Allen, Will Sowell;

Against: (None)

Scott Johnson moved to approve Public Hearing: Zoning Case Z12-0019. A request to rezone 152.2± acres north of Diamond Point Lane and west of Legacy Drive from Planned Development-40-Retail/Office-2/Commercial-1/Commercial-2/Industrial and Planned Development-199-Office-2 to Planned Development-Single Family-8.5/Single Family-7/Patio Home/Townhome/Multifamily/Retail directing staff to prepare an Ordinance of the same. John Keating seconded the motion.

Passed

Vote: 4 – 1

For: Scott Johnson, John Keating, Tim Nelson, Will Sowell;

Against: Bob Allen

54. Public Hearing: Comprehensive Plan Amendment Case TA12-0001. A request to amend the Thoroughfare Plan regarding Cotton Gin Road and Diamond Point Lane west of Legacy Drive and consider and act to direct staff to prepare an Ordinance of the same. Neighborhood #41. (Development Services/MW)

John Keating left the meeting at 8:38 p.m.

Bob Allen moved to open the public hearing. Will Sowell seconded the motion.

Passed

Vote: 4 – 0

For: Scott Johnson, Tim Nelson, Bob Allen, Will Sowell;

Against: (None)

Scott Johnson moved to close the public hearing. Bob Allen seconded the motion.

Passed

Vote: 4 – 0

For: Scott Johnson, Tim Nelson, Bob Allen, Will Sowell;

Against: (None)

Bob Allen moved to approve Public Hearing: Comprehensive Plan Amendment Case TA12-0001. A request to amend the Thoroughfare Plan regarding Cotton Gin Road and Diamond Point Lane west of Legacy Drive and consider and act to direct staff to prepare an Ordinance of the same. Neighborhood #41. Scott Johnson seconded the motion.

Passed

Vote: 4 – 0

For: Scott Johnson, Tim Nelson, Bob Allen, Will Sowell;

Against: (None)

55. Public Hearing: Zoning Case ZA12-0002 - A request to amend the Zoning Ordinance regarding alcohol sales. (Development Services/MW)

Will Sowell moved to open the public hearing. Bob Allen seconded the motion.

Passed

Vote: 4 – 0

For: Scott Johnson, Tim Nelson, Bob Allen, Will Sowell;

Against: (None)

Scott Johnson moved to close the public hearing. Will Sowell seconded the motion.

Passed

Vote: 4 – 0

For: Scott Johnson, Tim Nelson, Bob Allen, Will Sowell;

Against: (None)

56. Consider and act upon adoption of an Ordinance to amend the Zoning Ordinance regarding alcohol sales. Zoning Case No. ZA12-0002. (Development Services/MW) **Ordinance 12-12-81**

Will Sowell moved to approve the adoption of an Ordinance to amend the Zoning Ordinance regarding alcohol sales. Zoning Case No. ZA12-0002. Bob Allen seconded the motion.

Passed

Vote: 4 – 0

For: Scott Johnson, Tim Nelson, Bob Allen, Will Sowell;

Against: (None)

Mayor Pro Tem Cheney moved to Item 60.

57. Consider and act upon adoption of the City of Frisco 2013 State Legislative Agenda (CMO).

Scott Johnson moved to table the City of Frisco 2013 State Legislative

Agenda. Tim Nelson seconded the motion.

Passed

Vote: 5 – 1

**For: Scott Johnson, John Keating, Tim Nelson, Bob Allen,
Jeff Cheney;**

Against: Will Sowell

Since it was past 6:30 p.m., Mayor Maso continued with the Public Hearings and Item 47.

58. Discussion and possible action concerning the January City Council meeting dates. (JK)

John Keating moved to approve moving the January 7, 2013 Council meeting to January 9, 2013, at 5:00 p.m. Tim Nelson seconded the motion.

Passed

Vote: 6 – 0

**For: Scott Johnson, John Keating, Tim Nelson, Bob Allen,
Jeff Cheney, Will Sowell;**

Against: (None)

Mayor Maso continued with Item 53.

59. Discussion concerning an appointment to the Denton County Transportation Authority. (MM)

Mayor Maso would like to appoint someone to fill the position in January. Council was asked to encourage all those interested to apply for the position. Applications may be obtained through the City Secretary's office.

Mayor Maso continued with Item 58.

60. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

- Staff will provide copies of State Legislative Reports from other local cities.

61. Discussion on Governance Monitoring of present City Council Meeting.

Jeff Cheney gave the council a grade of satisfactory.

ADJOURN

Bob Allen moved to adjourn at 8:54 p.m. Will Sowell seconded the motion.

Passed

Vote: 4 – 0

For: Scott Johnson, Tim Nelson, Bob Allen, Will Sowell;
Against: (None)

Please note these are preliminary results and are not official until approved at the next scheduled meeting. Approved/signed minutes are available at www.friscotexas.gov/docs.

Approved:

Maher Maso, Mayor

Attest:

Wendy Withers, Assistant City Secretary

EXHIBIT A

Park Place Estates Residents against zoning change (Diamond Pt Estates)

We are against the proposed zoning change which will affect the land to the east of Park Place Estates between our neighborhood and Legacy. We feel that this change and the subsequent plan to put in a lower priced neighborhood with smaller lots and homes will negatively affect our home investments in the Park Place Estates community. We were initially led to believe that Park Place Estates would be the closest neighborhood to the proposed Grand Park which helped to drive the higher price points in our neighborhood. A smaller neighborhood with a closer proximity to the proposed Grand Park would be in direct competition with our current home values.

The following Park Place Estates Residents are against the zoning change for land bordering our neighborhood from Commercial to Residential.

Andrew Melrose
Mike Os
Pat Dickerson
Andrea Searles
Francis Nguyen
Jill Lacy
Phu Han
Ligi Brown
Khoshnood Ahmad
Samantha Sutton
Mike
Ben Cuen
Pamela
Paul Fob
Bevel Collins
Bry
Shirley F. L.

Phitsamy Khanh Khan
Kristy Evans
Troy Evans